

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of
Administration of the
North American Numbering Plan

CC Docket No. 92-237

NATIONAL ASSOCIATION OF REGULATORY UTILITY COMMISSIONERS'
REPLY COMMENTS

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February 24, 1993

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REPLY COMMENTS

Pursuant to Sections 1.41, 1.49, and 1.401 of the Federal Communications Commission's ("FCC" or "Commission") Rules of Practice and Procedure, 47 C.F.R. Sections 1.41, 1.49, and 1.401 (1991), the National Association of Regulatory Utility Commissioners ("NARUC") respectfully files these comments in reply to the December 28, 1992 initial comments filed in response to the FCC's October 9, 1992 Notice of Inquiry ("NOI") issued October 29, 1992 in the above captioned proceeding. (FCC 92-470):

DISCUSSION

I. ADMINISTRATION: The current record supports transferring administration of the NANP to a neutral third party.

Although Bellcore has done an excellent job as administrator, because of the inherent and emerging conflict of interest posed by the need for numbering resources by Bellcore's owners and their competitors, NARUC has urged the FCC to evaluate of alternative methods of administration. In its initial comments, NARUC recommended that the future administration of the NANP be transferred to a neutral third party.

Of the forty-six parties filing comments on this issue, twenty strongly agree with NARUC that the functions must be transferred. Those that agree with NARUC's position generally suggest the major reasons for moving administration away from Bellcore are (1) its past policies purportedly favoring the Local Exchange Carrier ("LEC") perspective, and (2) the very obvious appearance of impropriety and genuine conflicts of interests that face a LEC-owned body administering a national resource needed by both LECs and their competitors to do business.¹

In light of these concerns, it is not surprising that the only remaining commentators arguing that administration must stay with Bellcore are, almost without exception, LECs or organizations representing LEC interests. Interestingly, even Bellcore acknowledges that others can act as administrator.²

¹ See, e.g., the Comments of (a) Unitel Communications, at 3 - 4, arguing that Bellcore has incentives to act in its owners' interests; (b) McCaw Cellular at 2 - 3 contending Bellcore has historically demonstrated a wireline perspective and urging removal of "LEC control" of codes needed by competitors; (c) Metrocall of Delaware, Inc at 2 -3 arguing that Bellcore has a serious conflict of interest in administering the plan; (d) Telocator at 2 suggesting the continued stewardship of the NANP by interested parties is untenable; (e) Cox Enterprise, Inc at 4-6 contending that the continued administration of numbering by Bellcore is an invitation to bias and to decisions that fail to consider the needs of all parties, (f) Aeronautical Radio, Inc and the Air Transport Association of America at 2 -3 noting concern over the continued administration by Bellcore because of its "obvious substantial competitive interest" in the availability of numbers, and (g) Ad Hoc Telecommunications Users Committee, at 15-17 noting that Bellcore has ignored cost and other impacts of NANP decisions on non-LEC entities.

² Bellcore comments at 1.

Moreover, even two of the major Bellcore stakeholders, Bell Atlantic and Bell South, suggest that unjustified claims of bias provide a needless distraction from the NANPA's work and do not oppose a transfer of NANPA responsibilities to an entity not affiliated with Bellcore.³

B. FUNDING - The record supports basing funding upon some fair allocation of cost to users:

The financial burden of administering the NANP and making hardware and software changes throughout the industry to accommodate changes in the NANP ultimately flows to the ratepayers. As noted in its original comments, NARUC contends that funding for NANPA should be based upon some fair allocations of costs to those using the resources. Of those commenting on the issue, Ameritech, BellSouth, NYNEX, Pacific Telesis, Bell Canada, North Pittsburgh, USTA, Teleport, AT&T, Sprint, NYPDS, and Cox have made specific funding proposals that are generally in line with NARUC's suggestions.

Proposals for participation in any "policy formation" group be premised upon additional entity specific contributions were not widely supported. Such suggestions would likely inappropriately limit such groups to only the large well funded industry players.

³ Comments of Bell Atlantic at 1; See also, Comments of Bell South at 1-2 suggesting that BellSouth supports actions necessary to satisfy the industry of impartiality of the NANPA, including transfer to another competent entity.

C. PCS NUMBERING - Develop Guidelines for OC Assignments within NON-GEOGRAPHIC Area Codes.

In NARUC's initial comments, we noted that PCS numbering and local number portability are both issues related to the NON-GEOGRAPHIC use of telephone numbers and that there are no industry agreed upon guidelines in effect for the assignment of office codes for PCS within non-geographic area codes.

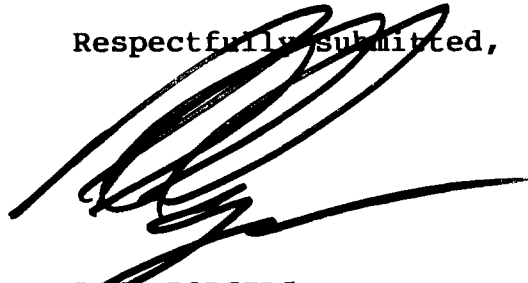
Accordingly, NARUC suggested the FCC immediately take the necessary steps to get the industry to develop and achieve consensus on assignment guidelines for the assignment of office codes within non-geographic area codes for PCS.

Interestingly, in its recently released second version of the long range numbering plan, Bellcore has suggested increasing the non-geographic area codes from 90 to 160. This increase underlines the expected increase in demand for these type of codes and the concomitant necessity for agreed-upon guidelines that assure equitable allocation of the central office codes within these new NPA assignments.

CONCLUSION

NARUC respectfully requests that the FCC carefully consider and implement the suggestions discussed above.

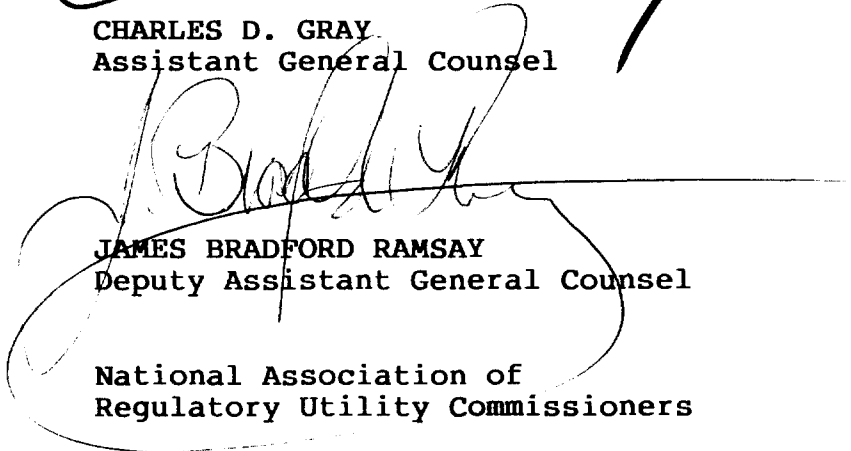
Respectfully submitted,



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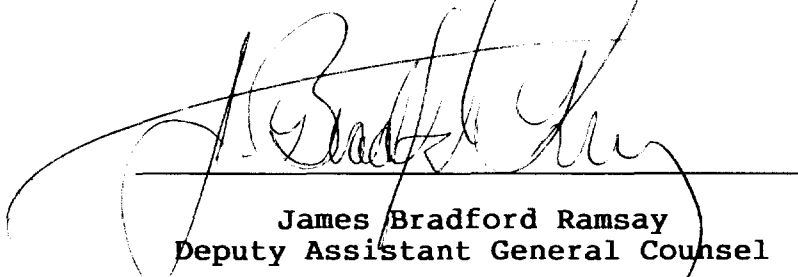
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February 24, 1993

CERTIFICATE OF SERVICE

I, JAMES BRADFORD RAMSAY, certify that a copy of the foregoing document was served, by first-class United States mail, postage prepaid, this 24th day of February, 1993, on all parties on the attached Service List.

A handwritten signature in dark ink, appearing to read "J. Bradford Ramsay", is written over a horizontal line. The signature is fluid and cursive, with a large loop at the end.

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